

AMENDED IN SENATE AUGUST 28, 2006

AMENDED IN SENATE AUGUST 7, 2006

AMENDED IN SENATE JUNE 19, 2006

AMENDED IN ASSEMBLY MARCH 27, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 2161**

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**Introduced by Assembly Member Hancock Klehs**

February 21, 2006

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~~An act to amend Section 8712 of the Family Code, and to add Sections 16519 and 16519.5 to the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor. An act to add and repeal Section 33413.1 of the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 2161, as amended, ~~Hancock Klehs~~. Child welfare services: resource family pilot program.

*The Community Redevelopment Law requires a redevelopment agency to replace dwelling units housing persons and families of low or moderate income that are destroyed or removed from the low- and moderate-income housing market as part of a redevelopment project that is subject to a written agreement with the agency or where financial assistance is provided by the agency. Existing law also requires that specified percentages of new and substantially rehabilitated dwelling units within a project area that are developed by public or private entities or by persons other than the*

*redevelopment agency be affordable to and occupied by persons of low and moderate income. These replacement, new, or rehabilitated dwelling units are required to remain available at affordable housing cost to, and occupied by, persons and families of low-income, moderate-income, and very low income households for at least 55 years for rental units and 45 years for homeownership units.*

*This bill would, until January 1, 2012, authorize the Redevelopment Agency of the County of Alameda to count the new construction of units outside the project area, but within the City of Hayward towards satisfaction of these housing obligations if certain conditions are met. This authorization would apply only to the Mt. Eden Sub-Area of the Eden Area Redevelopment Project Area.*

*This bill would declare that because of the unique circumstances applicable to the Redevelopment Agency of Alameda County with respect to local housing requirements, a statute of general applicability could not be enacted within the meaning of subdivision (b) of Section 16 of Article IV of the California Constitution, thus necessitating the enactment of a special statute.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law requires the placement of dependent children by the juvenile court according to specified procedures. Existing law requires the state, through the State Department of Social Services and county welfare departments, to establish and support a system of statewide child welfare, which includes services related to foster care placement of dependent children and adoption. Existing law provides for the licensure of foster care providers, and the approval of adoptive parents.~~

~~This bill would require the State Department of Social Services, in consultation with county welfare agencies, to implement a pilot program to establish a unified resource family approval process to replace the existing multiple processes for licensing foster family homes, approving relatives and nonrelated extended family members as foster care providers, and approving adoptive families, as provided in the bill. The bill would define a resource family for its purposes as an individual or couple that a participating county has approved to care for a related or unrelated child who is under the jurisdiction of the juvenile court or otherwise in the care of a county child welfare agency.~~

~~This bill would require the department to, prior to implementing the pilot program, promulgate standards for home approval and permanency assessment for placing children in a resource family.~~

~~This bill would require the pilot program to be conducted in up to 5 counties that volunteer to participate. It would authorize the pilot program to continue through the 2009-10 fiscal year, or for 3 full fiscal years following the receipt of funding for the program, whichever is later.~~

~~Existing law establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. The program is funded by a combination of federal, state, and county funds, with moneys from the General Fund being continuously appropriated to pay for the state's share of AFDC-FC costs. Existing law requires that a child be in one of 7 designated placements in order to be eligible for AFDC-FC.~~

~~This bill also would require a child placed in a resource family home that meets specified standards to be eligible for AFDC-FC. By expanding eligibility standards for AFDC-FC benefits, this bill would make an appropriation. The bill would provide that a resource family be paid a specified AFDC-FC rate, and would apply existing sharing ratios for state financial participation.~~

~~This bill would make its implementation contingent upon the continued availability of federal funds for costs associated with the placement of children with resource families as provided in the bill.~~

~~The bill would also set forth specified responsibilities for the department and counties participating in the pilot program for implementing and enforcing standards provided in the bill.~~

~~Existing law requires the State Department of Social Services or licensed adoption agency to require each person filing an application for adoption to be fingerprinted, and to secure from an appropriate law enforcement agency any criminal record of that person to determine whether the person has ever been convicted of a crime other than a minor traffic violation, and authorizes the department or a licensed adoption agency to secure the person's full criminal record, if any.~~

~~This bill would require that any federal level criminal offender record requests submitted to the Department of Justice be submitted with fingerprint images and related information required by the Department of Justice, as specified. The bill would require the Department of Justice to forward any such record requests received~~

~~pursuant to those provisions to the Federal Bureau of Investigation (FBI), to review the information returned to the department from the FBI, and to compile and disseminate a response to the State Department of Social Services or to the licensed adoption agency.~~

Vote:  $\frac{2}{3}$ . Appropriation: ~~yes~~-no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. Section 33413.1 is added to the Health and*  
2     *Safety Code, to read:*  
3     *33413.1. (a) For only the Mt. Eden Sub-Area of the Eden*  
4     *Redevelopment Project Area, the Redevelopment Agency of the*  
5     *County of Alameda may count, towards satisfaction of the*  
6     *housing production requirements of subdivision (b) of Section*  
7     *33413, the construction of units outside the project area but*  
8     *within the City of Hayward if all of the following conditions are*  
9     *met:*  
10    *(1) The units shall be available at affordable housing cost to,*  
11    *and occupied by, persons and families of very low or low income.*  
12    *(2) The units shall comply with subdivision (c) of Section*  
13    *33413, except that the requirements of that subdivision shall be*  
14    *deemed satisfied if the recorded covenants or restrictions are*  
15    *enforceable by the City of Hayward.*  
16    *(3) The units shall be located on a parcel or parcels*  
17    *immediately contiguous to the Mt. Eden Sub-Area of the Eden*  
18    *Redevelopment Project Area.*  
19    *(4) The Redevelopment Agency of the City of Hayward shall*  
20    *provide to the Redevelopment Agency of the County of Alameda*  
21    *written consent to the measures taken pursuant to this section*  
22    *and shall not count any units credited to the Redevelopment*  
23    *Agency of Alameda County pursuant to this section towards its*  
24    *own production or replacement requirements under Section*  
25    *33413.*  
26    *(b) The Redevelopment Agency of the County of Alameda shall*  
27    *cause to be made available, at affordable housing cost to, and*  
28    *occupied by, persons and families of very low, low-, or*  
29    *moderate-income households, as applicable, two units outside*  
30    *the project area for each unit that otherwise would have been*  
31    *required to be available inside the project area as required by*

1 *clause (ii) of subparagraph (A) of paragraph (2) of subdivision*  
2 *(b) of Section 33413.*

3 *(c) This section shall remain in effect only until January 1,*  
4 *2012, and as of that date is repealed, unless a later enacted*  
5 *statute, that is enacted before January 1, 2012, deletes or extends*  
6 *that date.*

7 *SEC. 2. The Legislature finds and declares that because of*  
8 *the unique circumstances applicable to the Redevelopment*  
9 *Agency of Alameda County with respect to local housing*  
10 *requirements, a statute of general applicability cannot be*  
11 *enacted within the meaning of subdivision (b) of Section 16 of*  
12 *Article IV of the California Constitution, and the enactment of a*  
13 *special statute is therefore necessary.*

14 *SEC. 3. This act is an urgency statute necessary for the*  
15 *immediate preservation of the public peace, health, or safety*  
16 *within the meaning of Article IV of the Constitution and shall go*  
17 *into immediate effect. The facts constituting the necessity are:*

18 *In order to ensure that the Redevelopment Agency of the*  
19 *County of Alameda will be able to count these units towards*  
20 *satisfying its housing obligation after the Mt. Eden Sub-Area of*  
21 *the Eden Project Area is annexed to the City of Hayward on*  
22 *January 1, 2007, it is necessary that this act take effect*  
23 *immediately.*

24 ~~SECTION 1. Section 8712 of the Family Code is amended to~~  
25 ~~read:~~

26  
27  
28 **All matter omitted in this version of the bill**  
29 **appears in the bill as amended in the**  
30 **Senate, August 7, 2006 (JR11)**  
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